

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ARIEL AASIYA ADLA
(RE' NAUL M. JOHNSON),
Plaintiff / Appellant

VS.

RICHARD F. ALLEN, et. al.,
Defendant(s) / Appellee(s).

* CIVIL ACTION NO.:

* 07-CV-00767-W-N

PLAINTIFF'S/APPELLANT'S MOTION FOR RELIEF FROM
OBLIGATION TO PAY APPEAL DOCKETING FEE IN ADVANCE

COMES NOW, Ariel A. Adla (Re' Naul M. Johnson), the Plaintiff / Appellant, pro se, pursuant to 28 United States Constitution (U.S.C.) § 1915, does hereby move and request, for this Most Honorable Court to grant permission to be relieved from obligation to pre-pay in advance, and thus waive the appeal docketing fee, as mandated and required, for ground(s), as follows:

1. The Plaintiff / Appellant makes this appeal by right in good faith.
2. The Plaintiff / Appellant is currently destitute and indigent.

3. The Plaintiff / Appellant currently has no nor is expected to have at any time in the near future any monetary funds available in the Prisoner's Money On Deposit (P.M.O.D.) Account, in which to pay and fulfill the full and/or any partial amount of the appeal docketing fee, as required to be paid, as a matter of law, pursuant to Title 28 United States Constitution (U.S.C.) § 1915.

4. Pursuant to the Three (3) Strike Rule, as defined, by Title § 28 United States Constitution (U.S.C.) 1915A, this Court has not yet issued a final judgment and/or ruling as to deny the Plaintiff's / Appellant's request for leave to proceed in forma pauperis on appeal, as requested within this said instant Cause of action, and thus this issue is still actively pending within the lawful jurisdiction of this Most Honorable Court.

5. Upon the face of the record of this Most Honorable Court, the Plaintiff / Appellant has made an affirmative showing that this said instant cause of action, as filed within the lawful jurisdiction of this Court is thereby exempt from the Three (3) Strike Rule, as defined, pursuant to Title § 28 United States Constitution (U.S.C.) § 1915A.

6. The Plaintiff / Appellant is suffering irreparable harm and injury, as a subsequent result of being denied and deprived from receiving a constitutionally adequate standard of medical care, therapy and treatment, as received prior to current incarceration.

for a medical diagnosis, in which is constitutionally recognized to constitute a "Serious Medical Need", in which such action(s) and/or inaction(s) of the Defendant(s) / Appellee(s), as listed and named within this instant said cause of action, have thereby deprived, the Plaintiff / Appellant of the most basic civilized measure(s) of life's necessities, and thus such is considered to be barbaric and torturous, thereby constituting Cruel and Unusual Punishment, in violation of the Eighth (8th) Amendment of the United States Constitution.

WHEREFORE, ALL PREMISES BEING HEREBY CONSIDERED, the Plaintiff / Appellant, pro se, pray for this Most Honorable Court to grant relief from the required obligation of having to pay the appeal docketing fees in advance, along with any and all other equitable relief, in which this Court deems appropriate, necessary and proper, thereof.

Respectfully Submitted,

Ariel Aasiya Adla
Re'Naul M. Johnson

CERTIFICATE OF SERVICE

Under the authority of the United States Supreme Court, as cited in Houston v. Lack, (1988) 487 U.S. 266; 101 L.Ed.2d 245, 108 S.Ct. 2379, I do hereby certify that I have on this 6th day of November, 2007, served a copy of the foregoing PLAINTIFF'S / APPELLANT'S MOTION FOR RELIEF FROM OBLIGATION TO PAY APPEAL DOCKETING FEE(S) IN ADVANCE, upon all Defendant(s) / Appellee(s) and other interested parties of interest, as listed and named within this said instant cause of action, by placing a copy of same within the Internal Inmate Mailing System, at the Houston County Jail, 901 East Main Street, Dothan, Alabama 36301, properly addressed and postage prepaid first-Class

Respectfully Submitted,
Ariel A. Adla / Re'Naul M. Johnson
 Ariel Aasiya Adla
 (Re'Naul M. Johnson, #166237)
 STATION CORRECTIONAL CENTER
 Post Office Box 56
 Elmore, Alabama 36025-0056

Atriel A. Adla

(Re: Naul M. Johnson, #34005)

Houston County Jail - I/3

901 East Main Street

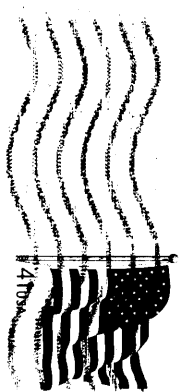
Dothan, Alabama 36301

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